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Final Fiscal Note

Drafting Number:	LLS 23-0448	Date:	July 11, 2023
Prime Sponsors:	Sen. Baisley Rep. Bird; Bottoms	Bill Status:	Signed into Law
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Bill Topic: **IN GOD WE TRUST SPECIAL LICENSE PLATE**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates the In God We Trust special license plate. It increases state and local revenue and state expenditures on an ongoing basis.

Appropriation Summary: For FY 2023-24, the bill requires and includes an appropriation of \$31,212 to the Department of Revenue.

Fiscal Note Status: The fiscal note reflects the enacted bill.

**Table 1
State Fiscal Impacts Under SB 23-025**

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue	Cash Funds	\$192,469	\$49,582
	Total Revenue	\$192,469	\$49,582
Expenditures	General Fund	\$4,293	-
	Cash Funds	\$26,919	\$8,132
	Total Expenditures	\$31,212	\$8,132
Transfers		-	-
Other Budget Impacts	TABOR Refund	\$192,469	\$49,582
	General Fund Reserve	\$644	-

Summary of Legislation

The bill creates the In God We Trust special license plate. By January 1, 2024, the license plate will be available to applicants that pay two one-time fees of \$25, in addition to standard license plate fees.

Assumptions

Expected demand for the plate is based on the actual demand for the Italian American Heritage special license plate.

State Revenue

The bill will increase state cash fund revenue by \$192,469 in FY 2023-24 and \$49,582 in subsequent years, as shown in Table 2. This revenue is subject to TABOR.

Table 2
State Revenue Under SB 23-025

	FY 2023-24	FY 2024-25
License Plate Sets Issued	3,315	829
DRIVES Cash Fund (\$25)	\$82,875	\$20,725
Highway Users Cash Fund (\$25)	\$82,875	\$20,725
License Plate Cash Fund	\$26,719	\$8,132
Total Revenue	\$192,469	\$49,582

Standard license plate fees. Upon registration, all vehicle owners must pay a plate and tab production fee of \$8.06 for a digital passenger vehicle plate set in FY 2023-24 and \$9.81 the following year. All specialty plates are manufactured as digital plates, and the fiscal note assumes motorcycle issuance will be minimal. Fees from plate and tab production are credited to the License Plate Cash Fund (LPCF).

Special license plate fees. Applicants for the In God We Trust special license plate are required to pay an additional \$50 in fees, of which \$25 is credited to the Highway Users Tax Fund (HUTF) and \$25 is credited to the Licensing Services Cash Fund.

Highway Users Tax Fund. Of the HUTF revenue, 65 percent is credited to the State Highway Fund (SHF) for expenditure by the Department of Transportation, 26 percent is credited to counties, and 9 percent is credited to municipalities. Table 3 outlines the estimated HUTF revenue generated under this bill.

**Table 3
Expected HUTF Distributions Under SB 23-025**

	FY 2023-24	FY 2024-25
State Highway Fund (65 percent)	\$53,869	\$13,471
Counties (26 percent)	\$21,548	\$5,389
Municipalities (9 percent)	\$7,458	\$1,865
Total HUTF Distribution	\$82,875	\$20,725

State Expenditures

State expenditures in the Department of Revenue (DOR) will increase by \$31,212 in FY 2023-24 and \$8,132 in subsequent years, as shown in Table 4 and detailed below. Expenditures are paid from the General Fund and the License Plate Cash Fund.

**Table 4
State Expenditures Under SB 23-025**

	FY 2023-24	FY 2024-25
Department of Revenue		
Plate and Tab Production	\$26,919	\$8,132
DRIVES Programming	\$4,293	-
Total Expenditures	\$31,212	\$8,132

Department of Revenue. The DOR will have costs to produce the new plates, perform computer system changes, and make other updates, as outlined below.

- **Plate and tab production.** As discussed in the State Revenue section, plate tab and production costs for special group plates are \$8.06 per license plate set in FY 2023-24 and \$9.81 the following year. Based on the assumed number of plates, this will increase costs by the amounts shown in Table 4 above. In addition, Colorado Correctional Industries will receive a one-time fee of \$200 for designing the plate. Plate and tab production costs are paid from the LPCF.
- **DRIVES programming.** In FY 2023-24, one-time programming costs of \$4,293 are required to update the Driver License, Record, Identification and Vehicle Enterprise Solutions (DRIVES) system with the license plate. Programming costs assume 16 hours at a rate of \$225 per hour for a total cost of \$3,600. Testing can be accomplished within existing appropriations. Office of Information Technology (OIT) support requirements are estimated at 7 hours at a rate of \$99 per hour, which will be allocated to DOR and paid to OIT via real time billing.
- **Training and materials updates.** DOR will be required to update rules, forms, manuals, and the department's website to include the license plate. The DOR will also provide training to authorized agents, Title and Registration Section staff, and law enforcement. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Other Budget Impacts

TABOR refunds. The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the March 2023 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2024-25. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by \$644 in FY 2023-24, which will decrease the amount of General Fund available for other purposes.

Local Government

This bill will increase local government HUTF revenue by the amounts shown in Table 3. HUTF revenue generated by license plate fees is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

Effective Date

The bill was signed into law by the Governor on June 2, 2023, and takes effect on August 7, 2023, assuming no referendum petition is filed.

State Appropriations

For FY 2023-24, the bill requires and includes appropriations of \$31,212 to the Department of Revenue. Of this total:

- \$4,293 is from the General Fund; and,
- \$26,919 is from the License Plate Cash Fund.

State and Local Government Contacts

Corrections
Information Technology

Counties
Revenue

County Clerks
Transportation